

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

WYATT et al

Serial No. 09/805,377

Filed: March 14, 2001

For: OPTICAL COMMUNICATIONS SYSTEM AND METHOD OF PROTECTING AN  
OPTICAL ROUTEAssistant Commissioner for Patents  
Washington, D.C. 20231

Attention: Application Branch

Atty. Dkt. 36-1567

Date: January 31, 2002



DAC  
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The attached completes filing of the above-identified patent application:

- ☒ Signed Rule 63 Declaration alone, ☐ Copy of Declaration from prior application alone, OR  
☐ Signed Declaration plus attached copy of originally filed specification/drawings.  
☒ **NOTICE TO FILE MISSING PARTS OF APPLICATION FILING DATE GRANTED** form.  
☒ Record the attached assignment and return to the undersigned.  
☐ Attached is a Power of Attorney.  
☒ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:
- | Application Number | Country | Day/Month/Year Filed |
|--------------------|---------|----------------------|
| 00302423.9         | Europe  | 24 March 2000        |

respectively.

- ☒ Certified copy(ies) of foreign application(s) is/are attached.  
☐ Certified copy(ies) filed on \_\_\_\_\_ in prior application no. \_\_\_\_\_, filed \_\_\_\_\_.  
☐ Applicant claims "small entity" status. ☐ "Small entity" statement attached.  
☐ Please enter the attached and/or below preliminary amendment prior to calculation of filing fee.  
☒ Also attached: ☐ Information Disclosure Statement; ☐ Nucleotide and/or Amino Acid  
Sequence Submission; ☒ Other: Petition Under 37 C.F.R. §1.47(a)

**Fees due are calculated below:**

Basic filing fee				\$	740.00
Total Effective claims	13	- 20 =	0	x \$	18.00
Independent claims	6	- 3 =	3	x \$	84.00
If any proper multiple dependent claims now added for first time, add \$280.00 (ignore improper)				\$	0.00
				<b>FILING FEE</b>	\$ 992.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$400.00/2 months; \$920.00/3 months; \$1440.00/4 months)				\$	1960.00
Surcharge (\$130.00) if Declaration or filing fee first now submitted				\$	130.00
Petition Fee (\$130.00)				\$	130.00
				<b>FIRST SUBTOTAL</b>	\$ 3,212.00
If "small entity," enter half (½) of subtotal and subtract				-\$	0.00
				<b>SECOND SUBTOTAL</b>	\$ 3,212.00
Assignment Recording Fee (\$40.00)				\$	40.00
				<b>TOTAL FEE DUE</b>	\$ 3,252.00
				Check enclosed (Pre-Bill)*	\$ 1120.00
				Check enclosed (non Pre-Bill)*	\$ 2132.00
				<b>TOTAL FEE ENCLOSED</b>	\$ 3252.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8<sup>th</sup> Floor  
 Arlington, Virginia 22201-4714  
 Telephone: (703) 816-4000  
 Facsimile: (703) 816-4100  
 LSN:vc

NIXON &amp; VANDERHYTE P.C.

By Atty: Larry S. Nixon, Reg. No. 25,640

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 FEB 04 2002

Signature:

OFFICE OF PETITIONS

\*For N&amp;V internal accounting purposes

02/01/2002  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/805,377	03/14/2001	Richard Wyatt	36-1567

CONFIRMATION NO. 1527

## FORMALITIES LETTER



\*OC000000006267828\*

NIXON & VANDERHYE P.C.  
1100 North Glebe Road, 8th Floor  
Arlington, VA 22201



Date Mailed: 07/06/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$240.
  - \$240 for 3 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1080.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

02/01/2002 SLUANG1 00000003 09805377

02 FC:101	740.00 OP
03 FC:102	252.00 OP
04 FC:105	130.00 OP